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RCE
3667

PTO/SB/30 (08-00)

Approved for use through 10/31/2002. OMB 0651-0031
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REQUEST FOR CONTINUED EXAMINATION (RCE) TRANSMITTAL

Subsection (b) of 35 U.S.C. § 132, effective on May 29, 2000,
provides for continued examination of an utility or plant application
filed on or after June 8, 1995.
See The American Inventors Protection Act of 1999 (AIPA).

Application Number	10/091,818
Filing Date	March 6, 2002
First Named Inventor	James A. Frazier, Jr., et al.
Group Art Unit	3662
Examiner Name	Gregory C. Issing
Attorney Docket Number	50847.00114

This is a Request for Continued Examination (RCE) under 37 C.F.R. § 1.114 of the above-identified application.

NOTE: 37 C.F.R. § 1.114 is effective on May 29, 2000. If the above-identified application was filed prior to May 29, 2000, applicant may wish to consider filing a continued prosecution application (CPA) under 37 C.F.R. § 1.53 (d) (PTO/SB/29) instead of a RCE to be eligible for the patent term adjustment provisions of the AIPA. See Changes to Application Examination and Provisional Application Practice, Final Rule, 65 Fed. Reg. 50092 (Aug. 16, 2000); Interim Rule, 65 Fed. Reg. 14865 (Mar. 20, 2000), 1233 Off. Gaz. Pat. Office 47 (Apr. 11, 2000), which established RCE practice.

1. Submission required under 37 C.F.R. § 1.114

- a. ☐ Previously submitted
 - i. ☐ Consider the amendment(s)/reply under 37 C.F.R. § 1.116 previously filed on _____
(Any unentered amendment(s) referred to above will be entered).
 - ii. ☐ Consider the arguments in the Appeal Brief or Reply Brief previously filed on _____
 - iii. ☐ Other _____
- b. ☒ Enclosed
 - i. ☒ Amendment/Reply
 - ii. ☐ Affidavit(s)/Declaration(s)
 - iii. ☐ Information Disclosure Statement (IDS)
 - iv. ☐ Other _____

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2. Miscellaneous

- a. ☐ Suspension of action on the above-identified application is requested under 37 C.F.R. § 1.103(c) for a period of _____ months. (Period of suspension shall not exceed 3 months; Fee under 37 C.F.R. § 1.17(i) required)
- b. ☐ Other _____

3. Fees

The RCE fee under 37 C.F.R. § 1.17(e) is required by 37 C.F.R. § 1.114 when the RCE is filed.

- a. ☒ The Director is hereby authorized to charge the following fees, or credit any overpayments, to Deposit Account No. 19-3878
 - i. ☒ RCE fee required under 37 C.F.R. § 1.17(e) 03/04/2004 HVUONG1 00000039 193878 10091818
 - ii. ☐ Extension of time fee (37 C.F.R. §§ 1.136 and 1.101) FC:1801 770.00 DA
 - iii. ☐ Other _____
- b. ☐ Check in the amount of \$ _____ enclosed
- c. ☐ Payment by credit card (Form PTO-2038 enclosed)

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT REQUIRED

Name (Print/Type)	William R. Bachand	Registration No. (Attorney/Agent)	Reg. No. 34,980
Signature	<i>William R. Bachand</i>	Date	February 25, 2004

CERTIFICATE OF MAILING OR TRANSMISSION

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner For Patents, Box RCE, Washington, DC 20231, or facsimile transmitted to the U.S. Patent and Trademark Office on:

Name (Print/Type)	Lisa Mansur	Date	February 25, 2004
Signature	<i>Lisa Mansur</i>		

Burden Hour Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND Fees and Completed Forms to the following address: Assistant Commissioner for Patents, Box RCE, Washington, DC 20231.



CERTIFICATE OF MAILING PURSUANT TO 37 C.F.R. §1.8

I, Lisa Mansur, hereby certify that this correspondence, pursuant to 37 C.F.R. §1.8, is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Mail Stop RCE, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on:

Date: February 25, 2004

By

Lisa Mansur

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants: James A. Frazier, Jr., et al. Docket No.: 50847.00114
Application No.: 10/091,818 Group Art Unit: 3662
Filing Date: March 6, 2002 Examiner: Gregory C. Issing
TITLE: **CLOSE/INTRA-FORMATION POSITIONING COLLISION
AVOIDANCE SYSTEM AND METHOD**

TRANSMITTAL OF RESPONSE WITH R.C.E

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Commissioner:

Herewith is a response in the above-identified application to the Office Action mailed on November 26, 2003.

[] Applicant asserts "small entity" status under 37 C.F.R. §§1.9 and 1.27.

FEE CALCULATION, CLAIMS AS AMENDED:

	Claims remaining after amendment		Highest number previously paid for		Present Extra				Additional Fee
Total Effective Claims	15	minus	20	=	0	x	\$ 18.00	=	\$ 0.00
Independent Claims	1	minus	3	=	0	x	\$ 86.00		\$ 0.00
							Subtotal:		\$ 0.00

Subtotal: \$ 0.00

Fee Calculation: Request for extension of time pursuant to 37 C.F.R. §1.136(a)

<input type="checkbox"/>	Response filed within first month after due date – add	\$ 110.00
<input type="checkbox"/>	Response filed within second month after due date – add	\$ 420.00
<input type="checkbox"/>	Response filed within third month after due date – add	\$ 950.00
<input type="checkbox"/>	Response filed within fourth month after due date – add	\$1480.00
<input type="checkbox"/>	Response filed within fifth month after due date – add	\$2010.00
Subtotal:		\$ 0.00

If one of the “small entity” boxes above is checked, enter half (1/2) of the second subtotal and subtract. \$ 0.00

TOTAL ADDITIONAL FEE ENCLOSED: \$ 0.00

☐ Please charge Deposit Account No. 19-3878 in the amount of _____.
A duplicate copy of this sheet is attached.

☐ A Squire, Sanders & Dempsey L.L.P. check in the amount of _____ is attached.

This statement does NOT authorize charge of the issue fee. The Commissioner is hereby authorized to charge any fee specifically authorized hereafter, or any deficiency in the fee(s) filed, or asserted to be filed, or which should have been filed herewith or concerning any paper filed hereafter, and which may be required under 37 C.F.R. §§1.16-1.18 (deficiency only) now or hereafter relative to this Application and the resulting Official document under 37 C.F.R. §1.20, or credit any overpayment to Account No. 19-3878 for which purpose a duplicate copy of this sheet is attached.

Respectfully submitted,

February 25, 2004
Date

By William R. Bachand
William R. Bachand
Reg. No. 34,980

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